

SANPETE COUNTY COMMISSION MEETING

August 19, 2014 2:00 P.M.

Sanpete County Courthouse, 160 North Main, Room 101, Manti, Utah

Present are: Commission Chair Claudia Jarrett, Commissioners Steve Frischknecht and Scott Bartholomew, County Attorney Brody Keisel, and County Clerk Sandy Neill.

Meeting is called to order by Commission Chair Claudia Jarrett.

CLAIMS

Auditor Ilene Roth is present. Motion is made by Commissioner Frischknecht to approve payment of claims #334170 through #334275. The motion is seconded by Commissioner Bartholomew, and the motion passes.

KEN BENCH: ADMINISTRATIVE ADJUSTMENTS FOR 2012 AND 2013

Ken Bench is present. Once the tax roll and board of equalization closes, the only way changes can be made is to make tax dollar adjustments. Motion is made by Commissioner Frischknecht to approve the administrative adjustments as presented. The motion is seconded by Commissioner Bartholomew, and the motion passes.

SHERIFF BRIAN NIELSON: APPROVAL TO PURCHASE AMMUNITION; APPROVAL TO PURCHASE TASERS; APPROVAL TO PROMOTE DEPUTY GRETCHEN NUNLEY TO JAIL SERGEANT; APPROVAL FOR ONE YEAR STEP INCREASE FOR PATROL DEPUTY COLBY ZEEMAN AND MERIT STATUS; REVIEW AND APPROVAL OF ANNUAL MAINTENANCE AGREEMENT WITH COTTAMS; APPROVAL TO EXPEND FOREST SERVICE CONTRACT FUNDS

Motion is made by Commissioner Bartholomew to approve the purchase of ammunition for training purposes at the cost of \$8,611.00 from the ammo budget. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Bartholomew to approve the purchase of three tasers at a cost of \$3,155.60 with the funds to come from the Forest Service Contract. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Frischknecht to approve the promotion of Deputy Gretchen Nunley to Jail Sergeant with an increase of .89 per hour effective the next pay period. The motion is seconded by Commissioner Bartholomew, and the motion passes. Motion is made by Commissioner Bartholomew to approve a step increase for Patrol Deputy Colby Zeeman to \$17.43 per hour effective August 13, 2014. The motion is seconded by Commissioner Frischknecht, and the motion passes. The Sheriff explains the request for a new contract for the maintenance services at the jail. The Cottams are asking for \$200.00 more per month. Maria Pearson who works for Cottams states she has never received a raise, and feels that this increase should make it possible to receive a raise. This will be placed on the next agenda for review. Two road speed limits have been reviewed, and will be placed on the next agenda for consideration.

SIX COUNTY AOG: DISCUSSION OF HAZARD MITIGATION PROJECTS FOR SANPETE COUNTY

Emery Polelonema, Chelsey Bakaitis, and Sergeant Jayson Albee are present. Chelsey Bakaitis asks what hazard mitigation projects the Commissioners would like the Six County AOG to help with. The Commissioners state that deer hits and the possibility of hazardous accidents involving large tankers are concerns of theirs. Our water sources need to be protected from natural hazards. Emery Polelonema mentions that maybe the airport could be improved for better access for emergency management. Mr. Polelonema asks what resources we have if our water is contaminated. Sergeant Albee responds we have agreements with WalMart, Home Depot, and a potable tender in Ephraim. Wells are also available. Fire is one of our biggest concerns. Harvesting of the beetle kill forest areas would be helpful for preventing a major fire that could devastate our water source. Sergeant Albee is working with the Six County AOG, and will update the Commission.

PUBLIC HEARING AND APPROVAL OF THE STEWARDSHIP RANCHES AGRICULTURAL PROTECTION AREAS

Scott Olsen is present. No oppositions have been received. The recommendation was made by the Soil Conservation District advisory committee and the Planning Commission to approve this with the same conditions as the original Agricultural Protection Area for Stewardship Ranches. Motion is made by Commissioner Frischknecht to approve the Stewardship Ranches Agricultural Protection Area on S 26928x1 (480 acres) with the same conditions as the original Ag Protection Area for Stewardship Ranches. The motion is seconded by Commissioner Bartholomew, and the motion passes. Motion is made by Commissioner Frischknecht to approve the Stewardship Ranches Agricultural Protection Area on S 26932 (80 acres) with the same conditions as the previous Stewardship Ranches Ag Protection Areas. The motion is seconded by Commissioner Bartholomew, and the motion passes.

SANDY NEILL: DISCUSSION AND APPROVAL OF BY MAIL VOTING PRECINCTS

County Clerk Sandy Neill is present. She would like to conduct all of the county elections by mail. Half of the voters voted by mail in the last election, and the turnout for those voters was much higher than those who came to the polls. Work is being done to save postage costs by using business reply mail, and a special permit for outgoing election mail. The budget is reviewed, and this may go a little over budget. Funds can be found in other line items in the clerk's budget to come close to fully funding the election. Discussion is held as to who can make the decision to go by mail, and this will be reviewed. The mayors of each of the 5 cities whose voters voted at polling places in the primary election will be contacted for their input on conducting elections by mail in their cities. Even if the County conducts their elections by mail, the cities can still opt to conduct their municipal elections using polling places if desired. This matter will be put on the next agenda.

MATT PALMER: BUDGET APPROVAL FOR BUILDING DESIGN AND NEW HIRE

Matt Palmer is present. He presents proposed changes to the budget. He would like to hire a part time employee for the rest of the year, and reallocate the remaining funds that were saved for the design of a new building. Motion is made by Commissioner Frischknecht to approve the changes to the budget as proposed. The motion is seconded by Commissioner Bartholomew, and the motion passes. He will post the part time position, and list the opening.

SCOTT OLSEN: UPDATE ON ROBINETTE BENTON'S SUBDIVISION

Scott Olsen informs the Commission that the water issue was resolved, and the Benton subdivision that was conditionally approved is now recorded. Loni and Julie Hammond: Final Approval of a One Lot Minor Subdivision Located West of Gunnison on S 10750

Julie Hammond is present. Motion is made by Commissioner Bartholomew to approve the one lot minor subdivision located west of Gunnison on S10750. The motion is seconded by Commissioner Frischknecht, and the motion passes.

COUNTY ATTORNEY BRODY KEISEL: DISCUSSION ABOUT ADDING SANPETE COUNTY TO THE AMICUS BRIEF TO THE SUPREME COURT REGARDING SAME SEX MARRIAGES

Attorneys in Utah have shown interest in the litigation that has been at the 10th Circuit Court, and may go to the Supreme Court on same sex marriages. The proposal is to add another amicus to that docket, and they are asking the counties to band together in this effort. The Supreme Court is not required to accept all cases, so we are asking for audience before the Supreme Court. The Commissioners are in agreement that we do not believe the federal government has jurisdiction to dictate state law, and adding our county to the amicus brief will help with certiorari to have the issue finally resolved by the Supreme Court. Motion is made by Commissioner Bartholomew to add Sanpete County to the amicus brief to the Supreme Court regarding same sex marriages. The motion is seconded by Commissioner Frischknecht, and the motion passes.

STEVE KELLER: DISCUSSION OF SPRINKLERS ON COUNTY ROADS

Steve Keller is present. There are a lot of land owners who are sprinkling on the county roads. A lot of the landowners state that if they own the road, and are paying taxes on the road, they should be able to do as they please. Sometimes it is done for dust control, and sometimes to create pot holes to slow the traffic down. He is wondering how should this be addressed and managed. Should there be a fine imposed? How can we get them to at least turn off the end guns on their sprinklers? About 90% of the roads in the County have easements, but are not publically owned. These are class B roads. Brody Keisel will draft a courtesy letter to see if we can get the property owner's cooperation to protect the County roads.

MARTY DUITZ: APPROVAL TO ADVANCE FIREFIGHTER PAY TO ABRAHAM KIMBALL FOR WORK DONE ON FEDERAL CREW; ACCEPTANCE OF NEWLY APPOINTED OFFICERS FOR INDIANOLA VALLEY FIRE DEPARTMENT

Marty Duitz is present. Mr. Kimball, a firefighter with the Indianola Valley Fire Department, worked on a federal crew on a fire. It takes a while for the federal government to pay for their help. Typically, other cities pay the firefighter, and then get reimbursed when the federal funding comes. Motion is made by Commissioner Bartholomew to approve advancing \$3,339.00 to Abraham Kimball for work done on firefighting with the federal crew, with the money to come from the reserve fund. These funds will be reimbursed when it comes from the Federal Government. The motion is seconded by Commissioner Frischknecht, and the motion passes. Elections were held at the Indianola Valley Fire Department meeting for officers. There are 14 certified firefighters in the Indianola Valley Fire Department. Motion is made by Commissioner Bartholomew to accept the new officers as follows: Marty Duitz, Chief; Rob Beal, Deputy Chief; Cameron Console, Training Officer; Steve Roylance, Safety Officer; Kurtis Zobel, Engine Maintenance Officer; Abe Kimball, Equipment Officer, and Graciela Meyers; Public Information Officer. The motion is seconded by Commissioner Frischknecht, and the motion passes.

RICHARD BRADFORD: DISCUSSION OF MINING CLAIMS ON OLD HERBERT AUERBACH PROPERTY

Richard and Susan Bradford, Ken Bench and Reed Hatch are present. Mr Bradford purchased 18 mining claims in Sanpete County. There appeared to be confusion and the 18 claims may have been double assessed. He paid what he thought was the last 4 years worth of taxes on those properties. He thinks that taxes have been paid on at least the 41% of the mining claims that he purchased. Ken Bench states that the State Tax Commission is satisfied that the mining claims were taxed correctly, and as far as they are concerned this has been taken care of. In 2006 fourteen new deeds for parcels from the federal government were recorded. The properties were added to the tax roll. When these new taxes weren't paid, the property was put on the tax sale. It was later discovered that the 14 parcels were being double taxed (Centrally assessed and the County). Three years of taxes were not paid because they were taken off of centrally assessed, and the County had ownership, and were not taxed. Mr Bradford thought the last 4 years taxes were paid, he doesn't understand because he thought he paid for those years last year. The \$1150.00 was posted to 2008, 2009, 2010, and 2011. When he called to see what was due, he paid it in full. The taxes for the missing years (when the property was in the County's name) have since been added. Can a quit claim deed be made to convey back to the Bradfords what the County received at the tax sale if the Bradfords pay the 3 years back taxes? Research needs to be done so we will be sure to handle this correctly. Mr. Bradford is in favor of a quit claim because it only conveys back to him what we received as a result of the tax sale. Mr. Keisel will review this matter, and this will be placed on the next agenda at 2:30 P.M.

APPROVAL OF MINUTES

Motion is made by Commissioner Bartholomew to approve the minutes from July 22, 2014 with minor corrections. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Bartholomew to approve the minutes from August 5, 2014 with minor corrections. The motion is seconded by Commissioner Bartholomew, and the motion passes.

Motion is made by Commissioner Bartholomew to go into executive session to discuss pending or reasonably imminent litigation and the character, professional competence, or physical or mental health of an individual. The motion is seconded by Commissioner Jarrett, and the motion passes.


EXECUTIVE SESSION

Motion is made by Commissioner Frischknecht to go out of executive session. The motion is seconded by Commissioner Bartholomew, and the motion passes. No action is necessary due to this execution session.

Motion is made by Commissioner Bartholomew to adjourn. The motion is seconded by Commissioner Frischknecht, and the motion passes.

The meeting is adjourned at 5:26 P.M.

ATTEST: 
Sandy Neill
Sanpete County Clerk

APPROVED: 
Claudia Jarrett
Commission Chair